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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,112	02/26/2002	Seijun Tanikawa	826.1797	3525

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EXAMINER

TRAN, PHILIP B

ART UNIT PAPER NUMBER

2155

DATE MAILED: 09/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/082,112	TANIKAWA ET AL.	
	Examiner	Art Unit	
	Philip B. Tran	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This office action is in response to the Amendment filed on 06/20/2006. No claims have been amended or canceled. Therefore, claims 1-16 are presented for further examination.

Claim Rejections - 35 U.S.C. § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-16 are rejected under 35 U.S.C. § 102(e) as being anticipated by Nobakht, U.S. Pat. No. 6,785,716.

Regarding claim 1, Nobakht teaches an Internet appliance user management system (= system server 110 is connected to the Internet) [see Fig. 1] which is connected to an IA terminal (= user terminal 130A-D) via a network, comprising:

an IA terminal user storing unit storing IA terminal information including an IA terminal identifier for identifying a number or mark of a manufacturer of the IA terminal, service information including the kind of service to be received, and user registration information including user information concerning the user who receives the service (= storing user/terminal information such as userID, user PIN, terminal ID, manufacture date, etc.) [see Figs. 1-4 and Col. 6, Line 37 to Col. 7, Line 36 and Col. 8, Lines 1-41];

a transmission and receiving unit on the side of the IA terminal user management system, transmitting and receiving the user registration information to and from the IA terminal, and requests the IA terminal to input the user registration information (= input devices such as remote control 202 and wireless keyboard 203) [see Figs. 1-2];

a user registration information collation unit collating the user registration information received by the transmission and receiving unit on the side of the IA terminal user management system with the user registration information stored in the IA terminal user storing unit and writing the user registration information in the IA terminal user storing unit if necessary (= set-top box 131 controls access to Internet sites/channels services by manually using input device (202, 203) via system controller 211 and writes user registration information in the user storage) [see Figs. 3-4 and Col. 6, Line 45 to Col. 7, Line 36 and Col. 8, Lines 1-41]; and

an automatic registration unit obtaining the user registration information which has not been collated by the user registration information collation unit from the IA terminal by means of the transmission and receiving unit on the side of the IA terminal user management system and registering said information in the IA terminal user storing unit (= passing userID information directly from smart card to the set-top box 131) [see Fig. 4 and Col. 8, Lines 1-15].

Regarding claim 2, Nobakht further teaches the IA terminal user management system according to claim 1, wherein the transmission and receiving unit on the side of the IA terminal user management system receives user registration information including the IA terminal identifier from the IA terminal, the user registration information collation unit collates the received user registration information with the user registration information stored in the IA terminal user storing unit, the transmission and receiving unit on the side of the IA terminal user management system transmits the collated result to the IA terminal, the transmission and receiving unit on the side of the IA terminal user management system receives additional user registration information which is not included in the received user registration information from the IA terminal, and the automatic registration unit registers the received additional user registration information in the IA terminal user storing unit [see Figs. 3-4 and Abstract and Col. 6, Line 45 to Col. 7, Line 36 and Col. 8, Lines 1-41].

Regarding claims 3-4, Nobakht further teaches the IA terminal user management system, wherein the IA terminal user storing unit comprises a machine table which stores the IA terminal identifier in association with a user identifier for identifying the user, a subscriber table which stores the user identifier in association with a service provider identifier for identifying the service provider who provides the service, and an affinity table which stores the service provider identifier in association with the registration procedure for registering the user determined by the service provider (= format of records that include userID, user PIN, password, customer No., box serial No., channel table, site address, site name, etc) [see Figs. 3-5].

Regarding claims 5-8, Nobakht further teaches the IA terminal user management system, wherein the automatic registration unit erases the user registration information stored in the IA terminal user storing unit [see Col. 6, Line 37 to Col. 7, Line 17 and Col. 16, Lines 40-49].

Regarding claim 9, Nobakht teaches the IA terminal which performs information communication via a network, comprising:

a transmission and receiving unit on the side of the IA terminal, transmitting and receiving IA terminal information including an IA terminal identifier for identifying a number or mark of a manufacturer of the IA terminal, service information including the kind of service to be received, and user registration information including user information concerning the user who receives the service to and from the IA terminal

user management system which manages the IA terminal via the network (= input devices such as remote control 202 and wireless keyboard 203 or smart card 232 for entering and transmitting user/terminal information such as userID, user PIN, terminal ID, manufacture date, etc. ; and set-top box 131 for receiving user/terminal information and controlling access to Internet sites/channels services) [see Figs. 1-4 and Col. 6, Line 37 to Col. 7, Line 36 and Col. 8, Lines 1-41]; and

an input unit inputting insufficient user registration information based on the request of the IA terminal user management system and writing the user registration information in a user storing unit of the IA terminal whereas the transmission and receiving unit on the IA terminal transmits the user registration information inputted by the input unit to the IA terminal user management system (= controlling access to Internet sites/channels services by manually using input device (202, 203) via system controller 211 or passing userID information directly from smart card to the set-top box 131 and writing user registration information in the user storage) [see Figs. 3-4 and Col. 6, Line 45 to Col. 7, Line 36 and Col. 8, Lines 1-41].

Regarding claim 10, Nobakht further teaches the IA terminal according to claim 9, wherein the transmission and receiving unit on the side of the IA terminal transmits user registration information including the IA terminal identifier to the IA terminal user management system, the transmission and receiving unit on the side of the IA terminal receives the result of having collated the transmitted user registration information and the user registration information stored in the IA terminal user storing unit with which the

IA terminal user management system is provided, the input unit inputs additional user registration information which is not included in the received user registration information, and the transmission and receiving unit on the side of the IA terminal transmits the inputted additional user registration information to the IA terminal user management system [see Figs. 3-4 and Abstract and Col. 6, Line 45 to Col. 7, Line 36 and Col. 8, Lines 1-41].

Claim 11 is rejected under the same rationale set forth above to claim 1.

Claim 12 is rejected under the same rationale set forth above to claim 2.

Claim 13 is rejected under the same rationale set forth above to claim 9.

Claim 14 is rejected under the same rationale set forth above to claim 10.

Claim 15 is rejected under the same rationale set forth above to claim 1.

Claim 16 is rejected under the same rationale set forth above to claim 9.

Response to Arguments

4. Applicant's arguments have been fully considered but they are not persuasive because of the following reasons:

A- Applicant argues that Nobakht fails to disclose each and every element of claim 1 [see Remarks, Page 8].

The examiner respectfully disagrees. Nobakht teaches an Internet appliance user management system such as system server 110 is connected to the Internet [see Fig. 1] which is connected to an IA terminal such as user terminal 130A-D via a network, comprising an IA terminal user storing unit storing IA terminal information including an IA terminal identifier for identifying a number or mark of a manufacturer of the IA

terminal, service information including the kind of service to be received, and user registration information including user information concerning the user who receives the service. For example, Nobakht discloses storing user/terminal information such as userID, user PIN, terminal ID, manufacture date, etc [see Figs. 1-4 and Col. 6, Line 37 to Col. 7, Line 36 and Col. 8, Lines 1-41].

Nobakht further teaches a transmission and receiving unit on the side of the IA terminal user management system, transmitting and receiving the user registration information to and from the IA terminal, and requests the IA terminal to input the user registration information. For example, Nobakht discloses input devices such as remote control 202 and wireless keyboard 203 [see Figs. 1-2]. In addition, Nobakht further teaches a user registration information collation unit collating the user registration information received by the transmission and receiving unit on the side of the IA terminal user management system with the user registration information stored in the IA terminal user storing unit and writing the user registration information in the IA terminal user storing unit if necessary. For example, Nobakht discloses set-top box 131 controls access to Internet sites/channels services by manually using input device (202, 203) via system controller 211 and writes user registration information in the user storage [see Figs. 3-4 and Col. 6, Line 45 to Col. 7, Line 36 and Col. 8, Lines 1-41].

Moreover, Nobakht further teaches an automatic registration unit obtaining the user registration information which has not been collated by the user registration information collation unit from the IA terminal by means of the transmission and receiving unit on the side of the IA terminal user management system and registering

said information in the IA terminal user storing unit. For example, Nobakht discloses passing userID information directly from smart card to the set-top box 131 [see Fig. 4 and Col. 8, Lines 1-15].

Therefore, Nobakht does disclose every element of claim 1 as shown above.

B- Applicant further argues that data such as the user ID, the terminal ID and manufacture data etc are stored in the smart card 232 or the set top box 131 of the user terminal and the data is not stored in a IA terminal user management system corresponding to a system server [see Remarks, Page 8].

The examiner respectfully disagrees. In fact, Nobakht clearly discloses that "server 110 includes an input terminal 401 (e.g., a personal computer or workstation), a CPU 412, a channel table database 414, a network database 416, and an update manager database 418...Input terminal 401 is used to enter channel table data and user/terminal information into channel table database 414 and network database 416, respectively, using known data processing techniques... Channel table database 414 stores one or more master channel tables entered in this manner. Network database 416 stores user and terminal information used to identify and authorize users that request service. In addition, network database 416 may store optional user home page information that allows each user convenient and secure access to e-mail, chat, and other Internet applications currently available to conventional network users. Update manager database 418 stores terminal information, current channel table version

numbers, and other information used to coordinate user terminal update procedures.”

[see Figs. 4 & 5(A-C) and Col. 8, Lines 1-41].

Therefore, data are stored in the database of the system server.

C- Applicant further argues that the present invention is different from the cited reference in that the present invention relates to information exchange between the IA terminal and the IA terminal management system (corresponding to the system server) [see Remarks, Page 9].

The examiner respectfully disagrees. Nobakht clearly discloses that “A channel-based network for accessing the Internet including a system server, one or more Internet sites and one or more user terminals that are connected via the Internet. The system server stores a master channel table that includes a list of channel numbers, each channel number having an associated Internet address and an associated Internet site name. Each Internet site of the network is addressable by an associated Internet address stored in the master channel table. Each user terminal automatically (i.e., without user participation) downloads and stores a local copy of the master channel table. The channel numbers and associated Internet site names are read from the downloaded local copy of the channel table and displayed, for example, on a television in a menu-like manner. The user selects an Internet site name from the displayed menu, and enters the channel number associated with the selected Internet site name using an input device that is similar to a television remote control. The user terminal then accesses the selected Internet site by reading the Internet address associated with

the entered channel number, and transmitting the Internet address onto the Internet.”

[see Abstract].

In addition, Nobakht further discloses that “server 110 includes an input terminal 401 (e.g., a personal computer or workstation), a CPU 412, a channel table database 414, a network database 416, and an update manager database 418...Input terminal 401 is used to enter channel table data and user/terminal information into channel table database 414 and network database 416, respectively, using known data processing techniques... Channel table database 414 stores one or more master channel tables entered in this manner. Network database 416 stores user and terminal information used to identify and authorize users that request service. In addition, network database 416 may store optional user home page information that allows each user convenient and secure access to e-mail, chat, and other Internet applications currently available to conventional network users. Update manager database 418 stores terminal information, current channel table version numbers, and other information used to coordinate user terminal update procedures.” [see Fig. 4 and Col. 8, Lines 1-41].

Therefore, Nobakht does disclose information exchange between the terminal and the system server.

D- Applicant further argues that the cited reference does not describe or suggest input and transmission of the missing information. Further, the issues addressed by the present invention and the issues to be solved by the cited reference are fundamentally different [see Remarks, Page 9].

The examiner respectfully disagrees. *In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., input and transmission of the missing information. Further, the issues addressed by the present invention and the issues to be solved by the cited reference are fundamentally different. That is, the present invention relates to ... The cited reference does not describe the initial registration of the initialization procedure) are not recited in the rejected claim(s).* Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Therefore, there is no such fundamental difference between the cited reference and the claimed invention as argued by applicant

In view of the foregoing, the examiner asserts that the cited reference Nobakht does teach or suggest the subject matter recited in independent claims. Dependent claims depend on independent claims and are therefore rejected at least by virtue of their dependency on independent claim and by other reasons set forth above. Accordingly, the examiner respectfully maintains the rejections for claims 1-16 as shown above.

Conclusion

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

A SHORTENED STATUTORY PERIOD FOR REPLY TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS ACTION. IN THE EVENT A FIRST REPLY IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 CAR 1.136(A) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT, HOWEVER, WILL THE STATUTORY PERIOD FOR REPLY EXPIRE LATER THAN SIX MONTHS FROM THE MAILING DATE OF THIS FINAL ACTION.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (571) 272-3991. The Group fax phone number is (571) 273-8300. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar, can be reached on (571) 272-4006.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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Art Unit 2155
September 22, 2006